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Attorneys for Plaintiff
ALFREDO BRAVO

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALFREDO BRAVO,

Plaintiff,

v.

ON DELIVERY SERVICES, LLC;
JORGE ALFARO; FRISCO BAY
TRANSPORT, INC.; DYNAMEX; XPO
LOGISTICS SUPPLY CHAIN, INC.;
AMAZON.COM SERVICES, INC.; IKEA
U.S. WEST, INC.; MATTRESS FIRM,
INC.; and NORTH AMERICAN
LOGISTICS GROUP LLC,

Defendants.

Case No. 3:18-cv-01913-EMC

**DECLARATION OF CARY KLETTER
IN SUPPORT OF PLAINTIFF
ALFREDO BRAVO'S MOTION TO
REMAND**

Date: February 14, 2019

Time: 1:30 p.m.

Judge: Hon. Edward M. Chen

Ctrm: 5 – 17th Floor

Complaint Filed: February 14, 2018

TAC Filed: January 15, 2019

Complaint Removed: March 28, 2018

Trial Date: Not yet set

I, Cary Kletter, declare as follows:

1. I am an attorney duly licensed to practice law before the courts of the State of California.

2. I am the attorney of record for Plaintiff ALFREDO BRAVO ("Plaintiff") in this matter and if called as a witness, I could and would testify to the facts set forth herein from my personal knowledge.

3. This declaration is submitted in support of Plaintiff's Motion to Remand.

4. On February 14, 2018, Plaintiff filed his complaint in the Superior Court of California County of Alameda against Defendants for claims arising out of his employment with

Defendants, including claims for unpaid wages and failure to provide meal breaks.

5. On March 28, 2018, Defendant Mattress Firm removed this case to federal court on the basis of federal question jurisdiction arising from Plaintiff's allegations of violations of the Fair Labor Standards Act. (ECF 1)

6. On September 21, 2018, Plaintiff filed his Second Amended Complaint, adding Masco Cabinetry as a Defendant. (ECF 70)

7. On November 5, 2018, Masco Cabinetry filed its motion to dismiss Plaintiff's SAC and to strike Plaintiff's claim for injunctive relief. (ECF 77)

8. On December 20, 2018, this Court granted Masco Cabinetry's motion to dismiss and granted Plaintiff's request to amend his Second Amended Complaint. (ECF 86)

9. On January 15, 2019, Plaintiff filed his Third Amended Complaint, which eliminates Plaintiff's causes of action under the Fair Labor Standards Act. (ECF 90) Plaintiff now solely alleges causes of actions under the California law.

10. Plaintiff did not proceed with solely his California law claims for any improper purpose including for the purpose of establishing the grounds for this motion for remand.

I declare under penalty of the laws of the state of California that the foregoing is true and correct and that this declaration was executed on January 15, 2019, in San Mateo, California


CARY KLETTER